

Approved as amended by the Board of Selectmen

**TOWN OF DARIEN
BOARD OF SELECTMEN
REGULAR MEETING
MAY 1, 2006**

ATTENDANCE: First Selectwoman Evonne Klein; Kevin Newman;
Linda Santarella; Barbara Thorne; Susan Young

STAFF: John Crary, Administrative Officer

CALL TO ORDER

First Selectwoman Klein called the Regular Meeting to order at 7:10 p.m.

PUBLIC COMMENT

There were no comments from the public.

FIRST SELECTWOMAN'S REPORT

Ms. Klein reported that last Sunday the area received approximately 6 inches of rain. Various areas in Town flooded such as Edgerton Street, Holly Lane, Cherry Street and Renshaw Road. The Department of Public Works and sewer crews were on hand on Sunday to address and attend to issues. Ms. Klein thanked the employees who responded last Sunday.

Ms. Klein reported that the elevator people will be here tomorrow to prepare the site to replace the piston on Wednesday. This is a 2-week process. She stated that every piston is unique to the particular elevator and therefore had to be built. It will take a week to install the new piston and a week to let the cement dry.

Ms. Klein reported that she and Marc McEwan spent some time in Westport at the Emergency Point of Distribution drill on April 19th and it certainly was a learning experience. She stated that Dr. McLaughlin will present to the Board of Selectmen in the near future. The Darien EMD and the Health Departments participated in the planning of this drill for over a year. She also reported that a number of volunteers from Darien participated in the drill on the 19th.

MPO MEETING

Ms. Klein gave an update on the funds for the Route 1 Corridor Study and stated it was sitting in the contracts office at the DOT and still under review. The short staff unfortunately delays such projects.

Ms. Klein reported that she and Lt. Martragano participated in the Youth Violence Forum in Norwalk last week. It was very informative and she was delighted to have been a participant in such a worthwhile program. She noted that one issue that was touched upon was that the Town has a regional approach to transportation, housing and public health, so why not youth issues? By participating in this program, Ms. Klein commented that she learned about grants that the Town would be eligible for, if in fact this region took a regional approach to this issue.

CL&P GLENBROOK CABLES PROJECT

Ms. Klein reported that CL&P and Burns and Mc Donnell representatives were on hand last week to present the 60% Development and Management Plan to the community. She asked that if anyone had comments on the plan thus far, to please get back to her before the plan was submitted to the CT Siting Council. The Town will have an opportunity to comment on the plans as submitted. She reported that CL&P is making every effort to address any outstanding issues regarding this project.

Ms. Klein reported that today she, John Crary, Chief Lovello, and Capt. Pavia met with representatives from CL&P, DOT and DMJM Harris to discuss the timeline for the Cat B Project and the Glenbrook Cables Project. The Cat B project will begin on or about June 1st of this year. She reported that there will be a Public Information Session on Thursday, May 18th in the Town Hall Auditorium at 7:00 p.m. for an opportunity to preview the project and there will then be a 7:30 p.m. presentation and Q&A session.

UP AND COMING

Saturday, May 6th – Darien Clean Up Day

Monday, May 8th – RTM budget vote

Tuesday, May 9th – Public Information Meeting on Darien New Canaan Health District

Saturday, May 13th – Chris Shays will hold a Town Meeting in Town Hall

Monday, May 15th – Board of Selectmen meeting

ADMINISTRATIVE OFFICER'S REPORT

Mr. Crary reported that the police contract negotiations commenced last week and the Public Works contract was also in the process of negotiations. He reported that the Website Committee will meet tomorrow to discuss how to make the website work better. He stated that the new website domain address is: www.darienct.gov.

REPORT ON THE STATUS OF THE HEALTH DISTRICT PLANNING COMMITTEE

Ms. Young reported that on April 20, Pamela Kilbey-Fox from the State health Dept led a discussion on legal aspects of the health district, including liability insurance and implications for each town. She stated that Tom Berstene and Dr. Reed gave a breakdown on the supplies and materials in the budget, the per capita rates reimbursed by

the state, and the fee structure and staffing requirements. The next meeting, held on April 24, focused on questions such as: was the staffing presented sufficient, was the process moving too fast, what if we explored an alternative of a full time district, and will Darien lose the ability to control its own health issues. An additional meeting was planned for April 28 to address these issues.

Ms. Young continued that on April 28, the presenters answered the above questions. She was not in attendance but received the minutes of the meeting and apparently the questions were answered satisfactorily for the group. A Public Information Meeting is scheduled for Tuesday, May 9 at 7:30 p.m. in Town Hall. The Board of Selectmen will meet on May 9 at 9:00 p.m. after the Public Information meeting and again on May 15 at 7:30 p.m.

Ms. Young reported that there will be a Public Hearing on this on May 17 at 7:30 p.m. sponsored by the Health and Social Services Committee of the RTM.

She commented that the fast- paced schedule was for the purpose of getting a “double dip” from the State in which the cut-off is June 15. She suggested to the committee that this was a complex issue, with major implications to Darien and that she believes that it was not in their best interests to hurry the decision. She did not believe that the “double dip” was significant enough to enter into this step toward regionalized healthcare without fully understanding the results. She stated that while the presenters have answered all questions it was not without concern that the Town’s present system will be compromised in quality of service. While the State argues that the Town will have more services, we have learned that the State requirements may not even be as rigorous as our part time system.

Ms. Thorne commented that she was present at the April 27th meeting and noted that Mr. Newman asked pertinent questions. She felt that by the time the questions were answered, the comfort level increased dramatically. She thanked Mr. Newman for getting the answers. Mr. Newman stated that he felt that the people present were kind and helpful and could not have been nicer and they answered every question that was asked. Ms. Santarella stated that she was very impressed with Mr. Laird from the New Canaan Health District who had made calls to she and Mr. Newman.

Robert Young, from the RTM, stated that the current Health Department is doing a great job. He asked what the efficiency of the consolidation would be and if they would lose services.

NEW BUSINESS

a) Meet with Tim Tully and Take Action on Accepting a gift towards the costs of rebuilding the Gorham Pond Dam

Tim Tully, President of Friends of Gorham Pond, was present. He reported that they currently have \$105,000 in pledges. Ms. Klein thanked everyone for their generosity and said

she looked forward to having a new dam.

- ** MS. THORNE MOVED TO GRATEFULLY ACCEPT THE GIFT TOWARD THE COST OF REBUILDING THE GORHAM POND DAM.**
- ** MS. SANTARELLA SECONDED.**
- ** MOTION PASSED UNANIMOUSLY.**

b) Ad Hoc Committee on Affordable Housing – Presentation and Update

Charlotte Suhler, Chairman of the Ad Hoc Committee, introduced the Committee members present: Barbara Thorne, Barbara Merrill and Tony Murray. She stated the other members were Ellen Peace and Susan Kostin. She stated that it was an important Committee and the information they obtain will be of interest to everyone in the Town. She reported that the Committee had three parts to their charge: to evaluate housing practices and action plans in similar communities. She noted that this would be discussed at tomorrow's meeting. The next charge was to study and analyze the housing needs of Darien through taking a survey of employees of Town Hall, teachers and police officers. The third charge was to educate the Darien community on affordable housing. She reported that the Committee met once and was very enthusiastic to bring something to the Board. She estimated that they should have something to report in September.

Ms. Thorne stated that, as a member of the Committee, she felt that no one on the Committee had preconceived ideas and they were obtaining the information to go forward. Ms. Santarella thanked Ms. Suhler and the Committee for taking on the task.

c) Meet with Members of the Police Commission and Chief Lovello on future plans for Police Headquarters

Chief Lovello distributed a copy of the Darien Police Department Facility Report to the Board. Mr. Newman stated that he knew how much work the building needs, however the issue he had was why was this coming up now. He stated that he wished it had been in the budget and it should have been in the budget. Chief Duane Lovello replied that this was not the first step. The building was 74 years old and was very challenging to work with. He stated that he wanted to take a step back and have a professional come in and assess the space. Ms. Santarella commented that if they do this she would like a member of the Board to be on this Committee to look at the space and she offered to volunteer. Chief Lovello stated that he wanted this to be a process of needs assessment and was looking for a professional to do a complete assessment. The Board asked if he was using a law enforcement expert and replied that he was. Mr. Newman commented that if they determine anything that was unsafe for police officers or the staff, it would up the urgency more. He stated that he would like to stay close to this. Ms. Young commented that she liked the process and it was complex because of the space. Ms. Santarella asked if they needed to go forward to the Board of Finance for a transfer of \$7,500. Mr. Crary replied that he would present the budget transfer at the next meeting.

d) Discuss and Take Action on the request of OPUS to hold a Big Rig Gig at Town Hall on October 1, 2006

Ms. Klein stated that they have been doing the Big Gig Rig for four or five years.

**** MS. SANTARELLA MOVED TO APPROVE THE REQUEST OF OPUS TO HOLD A BIG RIG GIG AT TOWN HALL ON OCTOBER 1, 2006.**

**** MS. THORNE SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

e) Discuss the requests of the Health Department to have an annual Non-resident shell fishing permit at a \$40 fee, and to increase the annual resident shell fishing permit fee from \$10 to \$20.

Ms. Klein reported that this request had come from the Health Department because there currently was no shellfishing permit fee for non-residents or a local ordinance that allows for such permit. They were also requesting that the current Darien/Stamford resident fee be increased from \$10.00 to \$20.00 annually with still no fee for residents 65 and over.

Ms. Young asked how many permits were sold each year and how many non-residents were shell fishing. Mr. Newman stated that a public hearing would help answer his questions and he wanted to make sure there were enough clams there. He suggested that the Health Department could be empowered to put a cap on the number of clams obtained. Ms. Klein replied that she could get the numbers. She stated that she would schedule a public hearing and get back to the Board with a date.

f)Transfers

1. Planning and Zoning Department

Transfer from Office Supplies to P&Z Clerical Services. This transfer will allow the Department to cover required clerical expenses relative to the Planning & Zoning Commission. Clerical work includes the audio taping of all Commission meetings, providing audiotapes to members upon request, and the transcription of the meeting where a matter is in litigation. It is expected that the Planning and Zoning Commission will meet at least seven more times over the remaining ten weeks left in the fiscal year, in order to keep up with the existing workload and to review and act upon various development proposals.

RESOLVED:

That the following transfer of appropriations is approved for referral to the Board of Selectmen:

From:			To:		
Acct. No.	Account	Amount	Acct. No.	Account	Amount
0201011-83001	Office Supplies	\$955	10202011 - 82004	P&Z Clerical Services	\$955
TOTAL		\$955	TOTAL		\$955

- ** MR. NEWMAN MOVED TO APPROVE THE TRANSFER OF APPROPRIATIONS FOR REFERRAL TO THE BOARD OF FINANCE FROM ACCOUNT # 0201011-83001, OFFICE SUPPLIES, IN THE AMOUNT OF \$955, TO ACCOUNT #10202011-82004, P&Z CLERICAL SERVICES, IN THE AMOUNT OF \$955.**
- ** MS. THORNE SECONDED.**
- ** MOTION APPROVED UNANIMOUSLY.**

2. Planning and Zoning Department

Transfer from Conferences & Meetings to EPC Clerical. This transfer will allow the Department to cover required clerical expenses relative to the Environmental Protection Commission. Clerical work includes the audio taping of all EPC meetings, providing audiotapes to EPC members upon request, and the transcription of the meeting where a matter is in litigation. It is expected that the EPC will meet at least four more times over the remaining 11 weeks left in the fiscal year. As you may know, EPC revenues are up thirty fold over last year as a result of application and other fee increases. Last year, revenues were \$791. This year, we expect them to be over \$35,000.

RESOLVED:

That the following transfer of appropriations is approved for referral to the Board of Selectmen:

From:			To:		
Acct. No.	Account	Amount	Acct. No.	Account	Amount
10201011-82002	Conferences & Meetings	\$855	10204011 - 82004	EPC Clerical	\$855
TOTAL		\$855	TOTAL		\$855

- ** MR. NEWMAN MOVED TO APPROVE THE TRANSFER OF APPROPRIATIONS FOR REFERRAL TO THE BOARD OF FINANCE FROM ACCOUNT # 10201011-82002, CONFERENCE & MEETINGS IN THE AMOUNT OF \$855, TO ACCOUNT #10204011-82004, EPC CLERICAL SERVICES, IN THE AMOUNT OF \$855.**

- ** MS. THORNE SECONDED.**
**** MOTION APPROVED UNANIMOUSLY.**

3. Employee Benefits – Unemployment

The unemployment expenses have exceeded the budgeted dollar amount. The balance owed for Jan & Feb 2006 equals \$2015.00. Because the amount of time left for individuals to receive unemployment payments is expiring, we only expect expenses of approximately \$485.00 for the remainder of the fiscal year.

RESOLVED:

That the following transfer of appropriations is approved for referral to the Board of Finance:

From:			To:		
Acct. No.	Account	Amount	Acct. No.	Account	Amount
10704000-86600	Contingency	2,500	10701001-82109	Unemployment	2,500
	TOTAL	2,500		TOTAL	2,500

- ** MS. THORNE MOVED TO APPROVE THE TRANSFER OF APPROPRIATIONS FOR REFERRAL TO THE BOARD OF FINANCE FROM ACCOUNT #10704000-86609, CONTINGENCY, IN THE AMOUNT OF \$2,500, TO CCOUNT #10701001-821094, UNEMPLOYMENT, IN THE AMOUNT OF \$2,500.**
- ** MR. NEWMAN SECONDED.**
**** MOTION APPROVED UNANIMOUSLY.**

4. Police Department

The high cost of gasoline is well in excess of projected cost. The current allocation will be inadequate to meet expected demand for the balance of the fiscal year. The Patrol-Full Time Salary account is showing a balance in excess of anticipated usage due to staffing vacancies. It is hoped that the requested transfer will be sufficient to sustain the account through the balance of the fiscal year.

RESOLVED:

That the following transfer of appropriations is approved for referral to the Board of Finance:

From:			To:		
Acct. No.	Account	Amount	Acct. No.	Account	Amount
10302233 81001	Patrol - Full Time Salary	5,000	10302313 83004	Fleet – Motor Fuel	5,000
	TOTAL	5,000		TOTAL	5,000

- ** MS. SANTARELLA MOVED TO APPROVE THE TRANSFER OF APPROPRIATIONS FOR REFERRAL TO THE BOARD OF FINANCE FROM ACCOUNT # 10302233 81001-83001, PATROL-FULL TIME SALARY, IN THE AMOUNT OF \$5,000, TO ACCOUNT #10302313-83004, FLEET-MOTOR FUEL, IN THE AMOUNT OF \$5,000.**
- ** MS. THORNE SECONDED.**
- ** MOTION APPROVED UNANIMOUSLY.**

5. Police Department

The Detective Bureau overtime account is substantially over budget due to several intensive and large scale investigations requiring a very high number of overtime hours. These investigations include, among others, the tainted juice at CVS, the narcotics investigation at a local tavern, residential burglaries on Delafield Island, and narcotics sales from a private residence.

It is difficult to forecast with any real accuracy the anticipated expenditures from the overtime account in the Detective Bureau as expenditures generally occur as crimes occur, something unknown during budget preparations. Occasionally expenditures are below budget; unfortunately that is not the case presently.

The account is currently over \$12,000 over the budgeted amount of \$23,000. The requested transfer will bring the account out of deficit and leave a balance that hopefully will be sufficient for the balance of the fiscal year. The Investigation & ID Full Time Salary budget has a balance in excess of anticipated usage due to a staffing vacancy.

RESOLVED:

That the following transfer of appropriations is approved for referral to the Board of Finance:

From:			To:		
Acct. No.	Account	Amount	Acct. No.	Account	Amount
10302223 81001	Invest. & ID -	15,000	10302223 81004	Invest. & ID -	15,000
	Full Time Salary			Overtime Salary	
	TOTAL	15,000		TOTAL	15,000

- ** MS. THORNE MOVED TO APPROVE THE TRANSFER OF APPROPRIATIONS FOR REFERRAL TO THE BOARD OF FINANCE FROM ACCOUNT # 10302223 81001, INVEST. & ID – FULL TIME SALARY, IN THE AMOUNT OF \$15,000, TO ACCOUNT #10302223 81004, INVEST. & ID – OVERTIME SALARY, IN THE AMOUNT OF \$15,000.**
- ** MR. NEWMAN SECONDED.**
- ** MOTION APPROVED UNANIMOUSLY.**

APPOINTMENTS/REAPPOINTMENTS

Consider and take action on the following appointment:

David Maloof (D) as a member of the Parks and Recreation Commission, filling the term of John Davis beginning on 4/1/04 and expiring on 3/31/07.

Ms. Santarella requested that this item be deferred to be discussed in Executive Session.

AGENDA REVIEW

Mr. Cray reported that he was working on two proposals for the Feasibility Study of the Senior Center and he would review them with Jeremy Ginsburg. Mr. Newman asked when they could have an Executive Session for an update on property acquisitions. Ms. Young asked that a carnival update be added to the agenda.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

Regular Meeting of April 17, 2006

The following changes were made to the minutes:

Pg. 2: Report on the Status of the Health District Planning Committee:

Pg. 9: Agenda Review: Second sentence: Change to Acting First **Selectman**.

**** MS. SANTARELLA MOVED TO APPROVE THE MINUTES OF THE
REGULAR MEETING OF APRIL 17, 2006 AS AMENDED.**

**** MR. NEWMAN SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

FORTHCOMING MEETINGS

May 2, 2006 Planning & Zoning Planning Meeting at 8:00 p.m.

May 8, 2006 RTM Budget Meeting at 8:15 p.m.

May 9, 2006 Board of Education Regular Meeting at 7:30 p.m.

May 9, 2006 Planning & Zoning General Meeting at 8:00 p.m.

May 15, 2006 Board of Selectmen Special Meeting at 7:00 p.m.

May 16, 2006 Board of Finance Regular Meeting at 7:30 p.m.

May 17, 2006 Parks & Recreation Regular Meeting at 7:30 p.m.

May 23, 2006 Planning & Zoning Public Meeting at 8:00 p.m.

June 5, 2006 Board of Selectmen Regular Meeting at 7:00 p.m.

OTHER BUSINESS

(A two-thirds majority vote is required to add an item to the agenda)

There was no Other Business discussed.

**** MS. SANTARELLA MOVED TO ADJOURN THE MEETING AT 8:30 PM.**
**** MS. YOUNG SECONDED.**
**** MOTION PASSED UNANIMOUSLY.**

Respectfully Submitted,

Donna DeVito
Telesco Secretarial Services